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LETTER DATED 9 APRIL 1993 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 816 (1993).

As requested in operative paragraph 5 of that resolution, Member States concerned, acting nationally as well as through the regional arrangement of the North Atlantic Treaty Organization (NATO), have been closely coordinating with me and the United Nations Protection Force (UNPROFOR) the measures they are taking to ensure compliance with the ban on all flights in the airspace of Bosnia and Herzegovina.

In a letter dated 8 April 1993, the Secretary-General of NATO, Dr. Manfred Wörner, informed me that the North Atlantic Council had adopted the necessary arrangements. So far, France, the Netherlands, Spain, Turkey, the United Kingdom and the United States had offered to make aircraft available for the operation. In order to be able to commence the enforcement on time, it was planned initially to deploy aircraft from France, the Netherlands and the United States.

The rules of engagement established by the Member States concerned are in conformity with the requirements set out in operative paragraph 4 of Security Council resolution 816 (1993).

In order to ensure continued communication and coordination, liaison cells have been established at UNPROFOR's headquarters in Zagreb and at the headquarters of UNPROFOR's Bosnia and Herzegovina Command in Kiseljak. In addition, UNPROFOR will dispatch a liaison team to the command headquarters designated by the Member States concerned for the operation.

I have requested the Member States concerned to provide further communications equipment and liaison teams to enhance communications with the individual battalions of UNPROFOR.

As requested in operative paragraph 2 of the resolution, UNPROFOR has modified the mechanism referred to in paragraph 3 of Security Council resolution 781 (1992). The revised guidelines for the authorization of non-UNPROFOR and

non-UNHCR flights in the airspace of Bosnia and Herzegovina are attached as an annex to this letter.

In his letter, Dr. Wörner informed me that his military authorities were prepared to begin the operation at noon GMT on Monday, 12 April 1993.

(Signed) Boutros BOUTROS-GHALI

Annex

Guidelines for the approval of non-UNPROFOR and non-UNHCR flights in the airspace of Bosnia and Herzegovina

1. These guidelines supersede those dated 22 December 1992 and are published under authority of United Nations Security Council resolution (SCR) 816. These guidelines do not apply to flights flown in accordance with paragraph 4 of SCR 816. SCR 816 extends the ban established on military flights by SCR 781 (1992) to cover flights by all fixed-wing and rotary-wing aircraft in the airspace of Bosnia and Herzegovina (BiH), this ban not to apply to flights authorized by UNPROFOR.

2. The Notice to Airmen (NOTAM) published on 8 December 1992 regarding requests for flights into BiH remains in effect for all aircraft operators. Paragraph 3 of the subject NOTAM shall be read as applicable to all flights, military or otherwise. The NOTAM shall be amended in due course. All flights conducted within these guidelines must receive UNPROFOR approval. Unannounced or unauthorized flights into or within the airspace of BiH in contravention of these Guidelines may be assessed as Violations of SCR 816 and are subject to interception.

3. Flights are defined as any flight, by fixed-wing or rotary-wing aircraft, conducted by any purpose.

4. UNPROFOR may authorize, in the airspace of BiH, humanitarian flights and other flights consistent with relevant resolutions of the Security Council. In this regard, UNPROFOR will consider requests for flights within or into BiH involving:

   a. The transportation of personnel from international organization.

   b. Official delegations.

   c. Evacuation of persons of special humanitarian concern.

   d. Medical evacuation (MEDEVAC) and casualty evacuation (CASEVAC) by civilian and military aircraft with at least six hours prior notification and only at locations where aircraft inspection can be conducted by UNPROFOR representatives. This is limited to cases where no treatment is available locally. Moreover, such flights should be conducted using military aircraft only in the event that civilian aircraft cannot be made available to deal with the emergency at hand.

   e. The evacuation of third country nations, when this has been approved through UNPROFOR and the relevant international agencies concerned.

5. The method for submitting requests for flights and details of the procedures to be followed are contained in the NOTAM as described herein.

6. No aircraft shall fly into or within BiH until authorization from UNPROFOR is received.

7. MEDEVAC and CASEVAC flights are defined as follows:

   a. MEDEVAC: Flights transporting injured or wounded persons between established medical facilities at locations where UNPROFOR representatives are available to conduct inspection.

   b. CASEVAC: Flights transporting injured or wounded persons from the scene at which the injuries occurred to a recognized medical facility. These missions shall be flown to locations where UNPROFOR representatives are available to conduct inspections. It is understood that observers may not be available to inspect the aircraft at the casualty extraction site.

8. In the case of a request for a MEDEVAC or CASEVAC flight, the following additional procedures, to those defined in the NOTAM, must be adhered to:

   a. MEDEVAC: Requests for a MEDEVAC flight must be submitted to UNPROFOR in accordance with established procedures a minimum of six (6) hours prior to the planned takeoff time. At locations where communications links with UNPROFOR are poor, the time from request to approval and deliverance of authorization may be longer than six hours. No flight shall take off without UNPROFOR authorization. The precise route of flight must be provided to UNPROFOR. The aircraft (fixed-wing or helicopter), medical personnel and casualties must be made available for inspection at the points of departure and arrival. On-route landing at locations other than departure and arrival points is not authorized.

   b. CASEVAC: Requests for a CASEVAC flight must be submitted to UNPROFOR in accordance with established procedures a minimum of six (6) hours prior to the planned takeoff time. At locations where communications links with UNPROFOR are poor, the time from request to approval and deliverance of authorization may be longer than six hours. No flight shall take off without UNPROFOR authorization. The precise route of the flight must be given to UNPROFOR, including the pick-up location of the casualties. The notification must include information about the hospital or medical facility to which the CASEVAC is destined. When the aircraft must launch from a location other than the casualty extraction site, the aircraft and medical personnel must be made available for inspection prior to the departure and after the return of the aircraft. The aircraft must launch from and return to a location where UNPROFOR representatives are available to conduct inspection. On arrival at the medical facility the aircraft, medical personnel and casualty(s) must be made available for inspection on request from UNPROFOR.

   c. MEDEVAC and CASEVAC flights shall carry only the crew, medical personnel and casualties.